

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

SEP 16 2014

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

FIDEL SALINAS, JR.

§
§
§
§
§

Criminal No. M-13-1439-S3

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From in or about June 2011, to in or about January 2012, in the Southern District of Texas
and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally conspired and agreed with other person or persons to access a
computer without authorization or to exceed authorized access, and thereby obtain information
from a protected computer.

This offense was committed in furtherance of the offenses in Counts 2, 6-11, and 13-14.

OVERT ACTS

The following overt acts, among others, were committed in furtherance of and to achieve
the objectives of said conspiracy:

1. On or about June 6, 2011, said defendant entered an online chat room (Channel) for
the Operation Anti-Security (Operation AntiSec) faction of the computer-hacking group
Anonymous.

2. On or about June 10, 2011, said defendant asked A.A. for a "local gov website".

3. On or about June 10, 2011, after receiving the address for an Hidalgo County website from A.A., said defendant attempted a reverse TCP payload to gain unauthorized access to the <http://www.co.hidalgo.tx.us> host.

4. On or about November 15, 2011, said defendant executed the Acunetix and Webcruiser programs on the lajoyaisd.com web domain, and executed the Acunetix program on the themonitor.com web domain.

5. On or about December 1, 2011, said defendant executed the Acunetix program on the lajoyaisd.com web domain.

6. On or about December 5, 2012, said defendant successfully exploited the Marriott network and the La Joya Independent School District/Region One Education Service Center networks by opening Command Shell sessions within said networks.

7. On or about December 30, 2011, said defendant attempted to connect to the IRC Operations server of the computer-hacking group Anonymous.

8. From on or about January 4, 2012, to on or about January 5, 2012, said defendant attempted to obtain administrative access to the Hidalgo County web site without authorization approximately over 14,000 times and executed the Webcruiser and Acunetix programs against said network.

9. On or about January 5 and 6, 2012, said defendant executed the WebCruiser program on the themonitor.com web domain.

In violation of Title 18, United States Code, Sections 371 and 1030(a)(2)(C).

Count Two

From in or about June 2011, to in or about January 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally conspired and agreed with other person or persons to cause the transmission of a program, information, code, or command, and as a result of such conduct, cause damage without authorization to a protected computer.

This offense caused or would, if completed, have caused loss to a person or persons during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

The Grand Jury incorporates by reference the "Overt Acts" section of Count 1.

In violation of Title 18, United States Code, Sections 371 and 1030(a)(5)(A).

Count Three

From on or about December 2, 2011, to on or about December 29, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

with the intent to harass or intimidate another person, namely, victim Y.V., knowingly and intentionally conspired and agreed with other person or persons to use an interactive computer service or any other facility of interstate or foreign commerce, namely, the Internet, to engage in a course of conduct that causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to Y.V.

OVERT ACTS

The following overt acts, among others, were committed in furtherance of and to achieve the objectives of said conspiracy:

1. From on or about December 2, 2011, to on or about December 29, 2011, said defendant made approximately 802,480 attempts to access Y.V.'s web site without authorization.
2. In December 2011, said defendant caused numerous messages to be sent to Y.V.

3. On or about December 23 and 25, 2011, said defendant attempted to create an administrative account on Y.V.'s web site without her authorization.

In violation of Title 18, United States Code, Sections 371 and 2261A.

Count Four

From on or about December 2, 2011, to on or about December 29, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally conspired and agreed with other person or persons to access a computer without authorization or to exceed authorized access and thereby obtain information from a protected computer (relating to victim Y.V.).

This offense was committed in furtherance of the offenses in Counts 3, 5, and 12.

The Grand Jury incorporates by reference the "Overt Acts" section of Count 3.

In violation of Title 18, United States Code, Sections 371 and 1030(a)(2)(C).

Count Five

From on or about December 2, 2011, to on or about December 29, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

with the intent to harass or intimidate another person, namely, victim Y.V., knowingly and intentionally used an interactive computer service or any other facility of interstate or foreign commerce, namely, the Internet, to engage in a course of conduct that caused, attempted to cause, or would be reasonably expected to cause substantial emotional distress to Y.V.

In violation of Title 18, United States Code, Sections 2261A and 2.

Counts Six to Fourteen

On or about the following listed dates, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed or attempted to access a computer without authorization or to exceed authorized access, and thereby obtained or attempted to obtain information from a protected computer:

Count	Date	Victim
6	June 10, 2011	Hidalgo County
7	November 15, 2011	La Joya Independent School District
8	November 15, 2011	The Monitor newspaper
9	December 1, 2011	La Joya Independent School District
10	December 5, 2011	Marriott
11	December 5, 2011	La Joya Independent School District / Region One
12	December 2-29, 2011	Y.V.
13	January 4-5, 2012	Hidalgo County
14	January 5-6, 2012	The Monitor newspaper

The offenses in Counts 6-11 and 13-14 were committed in furtherance of the offenses in Counts 1 and 2. The offense in Count 12 was committed in furtherance of the offenses in Counts 3, 4, and 5.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), 1030(c)(2)(B), and 2.

Count Fifteen

From on or about January 4, 2012, to on or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused or attempted to cause the transmission of a program, information, code, or command, and as a result of such conduct, intentionally caused or attempted to cause damage without authorization to a protected computer (relating to victim Hidalgo County).

The offense caused or would, if completed, have caused loss to a person or person during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 2.

Count Sixteen

From on or about January 4, 2012, to on or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed or attempted to access a protected computer without authorization and as a result of such conduct, recklessly caused damage (relating to victim Hidalgo County).

This offense caused or would, if completed, have caused loss to a person or person during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

In violation of Title 18, United States Code, Sections 1030(a)(5)(B), 1030(b), and 2.

NOTICE OF FORFEITURE
18 U.S.C. §1030

Upon conviction of an offense in violation of Title 18, United States Code, Section 1030, the defendant,

FIDEL SALINAS, JR.

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 1030(i), 1030(j), and 982(a)(2)(B), any property, real or personal, constituting or derived from, any proceeds that he obtained, directly or indirectly, as a result of such violation, as well as his interest

in any personal property that was used or intended to be used to commit or to facilitate the commission of such violation, including but not limited to:

- (1) a black Acer notebook computer, model number MS2319, serial number LXRNT0207613902EC52000; and
- (2) a black SABRENT labeled enclosure for a Western Digital hard drive, 500 GB, model number WD5000BEVT-22A0RT0, serial number WX31AB075146.

If any of the property described above, as a result of any act or omission of the defendant:

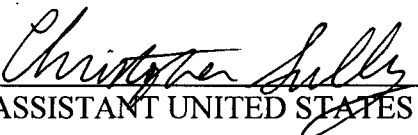
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY



ASSISTANT UNITED STATES ATTORNEY